

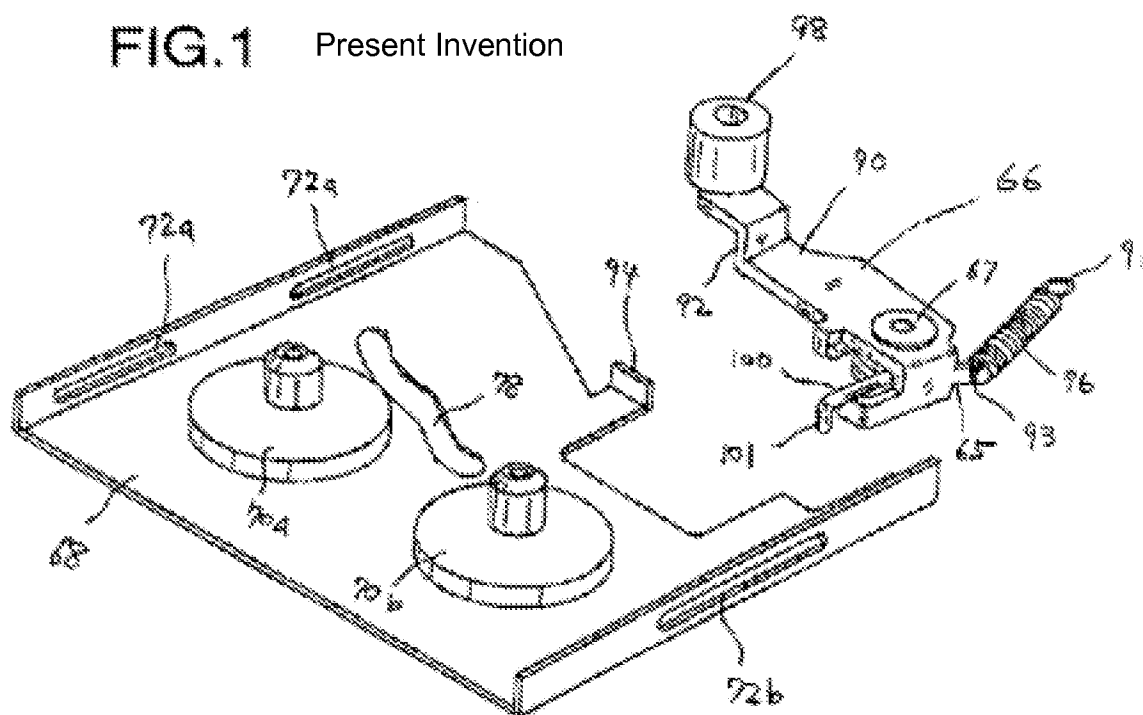
### REMARKS

Claims 1-5 are pending in the application. Favorable reconsideration of the application is respectfully requested.

#### ***I. REJECTION OF CLAIMS 1-5 UNDER 35 USC §103(a)***

Claims 1-5 stand rejected under 35 USC §102(b) based on *Konishi et al.* Applicants respectfully traverse this rejection for at least the following reasons.

##### *i. Present Invention*



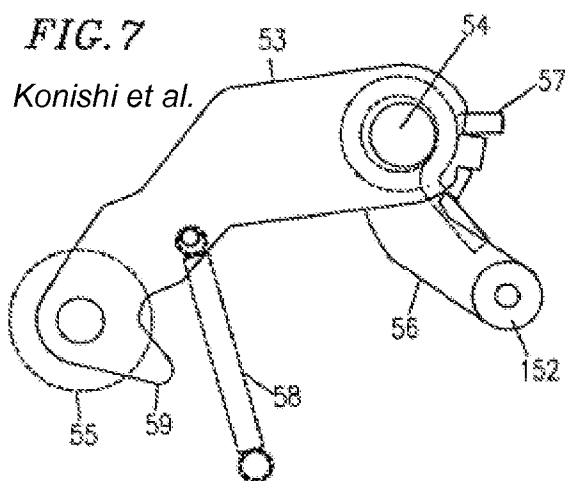
Claim 1 defines a magnetic recording and reproduction apparatus in accordance with the present invention. Claim 1 recites, *inter alia*, "an extendable and compressible section extendable so as to be wound around the arm pivoting center shaft in

accordance with the pivoting of the arm section and compressible so as to retract from the arm pivoting center shaft". Referring to Fig. 1 of the present application (reproduced above), such "extendable and compressible section" is exemplified in relation to extension spring 96 and the pivotable arm section 90.

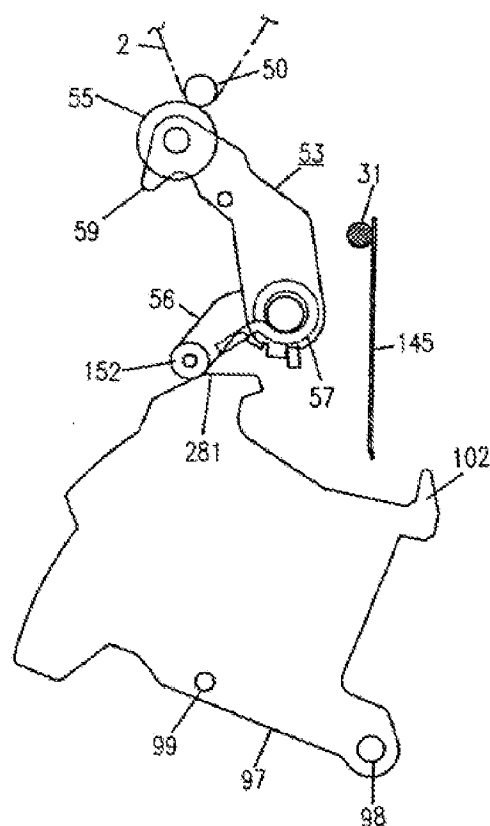
Claim 2 recites the additional aspect of a pressure-contact section provided on the pivoting center 67 of the arm section 90. As is shown in Fig. 1, this "pressure-contact section" is exemplified in the present application by torsion spring 100.

Claim 5 expressly defines the "extendable and compressible section" as being a "tension coil spring", and the "pressure-contact section" as a "twisted coil spring".

ii. *Konishi et al.*



**FIG. 34** *Konishi et al.*



In rejecting claims 1-5, the Examiner refers to Figs. 7, 8 and 34 of *Konishi et al.* (Figs. 7 and 34 reproduced herein). Specifically, the Examiner argues that torsion spring 57 in *Konishi et al.* constitutes an "extendable and compressible section" as recited in claim 1. Moreover, in rejecting claim 2 the Examiner contends that extension

spring 58 constitutes a “pressure-contact section”. Applicants note, however, the Examiner does not indicate how the pressure-contact section 58 may be provided on the “pivoting center of the arm section” as recited in claim 2.

In rejecting claim 5, the Examiner directly associates spring 58 in *Konishi et al.* as being a “twisted coil spring”, and spring 57 as being a “tension coil spring”.

iii. *Analysis*

a. *Claim 1*

As noted above, the Examiner in rejecting claim 1 identifies the torsion spring 57 of *Konishi et al.* as being the “extendable and compressible section”. Applicants respectfully submit, however, that the torsion spring 57 does not constitute an “extendable and compressible section” as recited in claim 1.

Referring to Fig. 7 of *Konishi et al.*, for example, admittedly the torsion spring 57 is placed over the pivotal shaft 54. Nevertheless, the torsion spring 57 by its very design does not “extend so as to be wound around” the pivotal shaft 54. Likewise, by its very design the torsion spring 57 does not “compress so as to retract from” the pivotal shaft 54. The torsion spring 57 is already positioned around the pivotal shaft 54 in *Konishi et al.* It cannot be “extendable so as to be wound around the arm pivoting shaft”.

To the extent the Examiner may consider the torsion spring 57 to ever “extend”, such “extension” of the torsion spring 57 would at best be considered an “unwinding” of the spring from its non-flexed state, and thus an unwinding around the pivotal shaft 54 and not a winding as recited in claim 1.

Accordingly, applicants respectfully submit that the Examiner has not shown an “extendable and compressible section” in *Konishi et al.* that is “extendable so as to be wound around the arm pivoting center shaft” in accordance with the pivoting of the arm section and “compressible so as to retract from the arm pivoting center shaft” as recited

in claim 1. As is shown in figs. 2-4 of the present application, an extendable and compressible section 96 which is extendable so as to be wound around the pivoting center shaft 88 is very different from a torsion spring as taught in *Konishi et al.*

*b. Claim 2*

As previously noted, claim 2 recites the feature of “a pressure-contact section provided on the pivoting center of the arm section”. Referring to Fig. 7 of *Konishi et al.*, the Examiner asserts that the extension spring 58 constitutes a “pressure-contact section” as recited in claim 2.

Applicants respectfully disagree with the Examiner’s position. Applicants note that Fig. 7 of *Konishi et al.* clearly shows that the extension spring 58 is not provided on the pivoting center 54 of the arm section 53. Rather, the extension spring 58 is clearly provided offset from the pivoting center 54.

In fact, if the extension spring 58 was provided at the pivoting center 54 as suggested by the Examiner, the mechanism in *Konishi et al.* would not work. The extension spring 58 in *Konishi et al.* is provided in order to provide a pivoting force or moment around the pivoting center 54. If the extension spring 58 was provided at the pivoting center 54, the extension spring 58 could not provide such moment.

Furthermore, claim 2 recites “wherein the extendable and compressible section is extendable so as to be wound around the pressure-contact section in accordance with the pivoting of the arm section and is compressible so as to retract from the pressure-contact section in accordance with the pivoting of the arm section”. The Examiner equates the “extendable and compressible section” with the torsion spring 57 in *Konishi et al.*, and the “pressure-contact section” with the extension spring 58.

Even assuming, for sake of argument, that the Examiner’s interpretation is correct, no where does *Konishi et al.* teach or suggest the torsion spring 57 being extendable so as to be “wound around” the extension spring 58 as recited in claim 2.

Absent such teachings, the rejection of claim 2 should also be withdrawn.

c. *Claim 5*

In rejecting claim 5, the Examiner associates spring 58 in *Konishi et al.* as being a “twisted coil spring”, and spring 57 as being a “tension coil spring”.

Applicants respectfully submit that the Examiner’s interpretation is contrary to conventional usage of the terms. A “twisted coil spring” is analogous to a torsion spring, i.e., the “twisted coil spring” or “torsion spring” 57 taught in *Konishi et al.* A “tension coil spring” is analogous to an extension spring, i.e., the “twisted coil spring” or “extension spring” 58 taught in *Konishi et al.* Of course, such terminology is directly opposite of the interpretation applied by the Examiner.

Thus, the rejection of claim 5 should also be withdrawn.

For at least the above reasons, applicants respectfully submit that *Konishi et al.* does not teach or suggest a magnetic recording and reproduction apparatus as recited in claims 1-5. Applicants respectfully request withdrawal of the rejection.

## **II. CONCLUSION**

Accordingly, all claims 1-5 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Application No.: 10/804,621

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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